

PATENT
Attorney Docket No.: 046124-5085

#11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Takuya HOMME *et al.*

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)

) Group Art Unit: 2878

)

) Examiner: Otilia Gabor

)

) Confirmation No.: 5616

)

Application No.: 09/893,586

HAND-DELIVERY TO:

Office of Petitions

U.S. Patent and Trademark Office

Crystal Plaza 4, Room 3C23

2201 South Clark Place

Arlington, VA 22202

Attn: Petitions Examiner Karen Creasy

Tel: 703-305-8859

Sir:

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JAN 30 2004

OFFICE OF PETITIONS

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- Previously submitted:

Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).

Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

Other: _____

Enclosed:

Supplemental Reply

Affidavit(s)/Declaration(s)

Information Disclosure Statement

PTO Form 1449 with two (2) references attached

Petition under 37 C.F.R. § 1.313(c) to Withdraw Application from Issue

770, 771, 772

2. Miscellaneous

- Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- Other: _____.

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3. Fees Calculation

JAN 30 2004

- (a) RCE Fee required under 37 C.F.R. § 1.17(e) **OFFICE OF PETITIONS**
- | |
|--|
| <input checked="" type="checkbox"/> \$770.00 |
| <input type="checkbox"/> \$370.00 (for small entity) |
- (b) Extension of Time
- Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- Applicants petition or an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months <u>Requested</u>	Fee for Extension	Fee for Small Entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 20.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$1,480.00	\$ 740.00

The extension of time fee for this request: \$_____.

If an additional extension of time is required, please consider this a Petition therefor.

- (c) Petition under 37 C.F.R. § 1.313(c) fee of \$130.00

The total fee for this submission: \$770.00 + \$130.00 = \$900.00

4. Fee Payment

- Enclosed is a check in the amount of \$_____.

- The Director is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of \$900.00 (representing \$130.00 for the Petition under 37 C.F.R. § 1.313(c) fee and \$770.00 for the RCE filing fee).
- EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

Dated: January 30, 2004

By:


Paul A. Fournier
Reg. No. 41,023

Customer No. 009629

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